

**From:** [Butler, David](#)  
**To:** [PSC Contact](#)  
**Subject:** FW: [External] RE: Docket No. 2021-324-WS--Surrebuttal Testimony  
**Date:** Friday, February 4, 2022 4:14:52 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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**From:** Charles Terreni <charles.terreni@terrenilaw.com>  
**Sent:** Friday, February 4, 2022 2:35 PM  
**To:** Rhaney, Donna L <DRhaney@ors.sc.gov>; Butler, David <David.Butler@psc.sc.gov>; Scott Elliott <sellott@elliottlaw.us>; Hall, Roger <RHall@scconsumer.gov>; Parker, Connor <cjparker@scconsumer.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; John J. Pringle, Jr. <jack.pringle@arlaw.com>; Knowles, Alex <aknowles@ors.sc.gov>  
**Subject:** [External] RE: Docket No. 2021-324-WS--Surrebuttal Testimony

Dear Mr. Butler:

KIU has no position on whether a party desiring to file surrebuttal in this docket should first obtain the Commission's permission. However, regardless of whether the Commission requires parties to file a motion requesting leave to file surrebuttal testimony, it must only "respond to any new matters brought up by the moving party in its rebuttal testimony". *Citing* Commission Directive, 01/27/2022, Docket 2021-291-A.

Sincerely,

*Charlie Terreni*

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Attachments area

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**From:** Rhaney, Donna L <[DRhaney@ors.sc.gov](mailto:DRhaney@ors.sc.gov)>

**Sent:** Friday, February 04, 2022 2:16 PM

**To:** Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)>; [selliott@elliottlaw.us](mailto:selliott@elliottlaw.us); Charles Terreni <[charles.terreni@terrenilaw.com](mailto:charles.terreni@terrenilaw.com)>; Hall, Roger <[RHall@scconsumer.gov](mailto:RHall@scconsumer.gov)>; Parker, Connor <[cjparker@scconsumer.gov](mailto:cjparker@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; John J. Pringle, Jr. <[jack.pringle@arlaw.com](mailto:jack.pringle@arlaw.com)>; Knowles, Alex <[aknowles@ors.sc.gov](mailto:aknowles@ors.sc.gov)>

**Subject:** Docket No. 2021-324-WS--Surrebuttal Testimony

Good Afternoon Mr. Butler:

I am emailing you to confirm that ORS may file surrebuttal testimony in Docket No. 2021-324-WS without first filing a Motion to Pre-File Surrebuttal Testimony.

At the Commission Meeting on December 8, 2021, the Commission issued Order No. 2021-805, which approved a procedural schedule in the above-referenced docket, and authorized Commission staff to make changes to the prefile dates outlined in the Order, if necessary. On December 9, 2021, ORS filed a letter with the Commission requesting that the Chief Hearing Officer amend the prefile dates established by Order No. 2021-805. ORS's letter included a date for surrebuttal testimony from ORS and other parties of record. On December 14, 2021, the Clerk's Office issued a Prefile Testimony Letter, which also included a date for surrebuttal testimony.

On January 27, 2022, the Commission issued a Directive in a different docket, Docket No. 2021-291-A, adopting a procedure to address surrebuttal testimony. Pursuant to the Directive, the adopted procedures went into effect immediately when the Commission Clerk's Office is developing a procedural schedule where pre-filed testimony is anticipated. The procedural schedule for the above-referenced docket was developed and approved prior to the issuance of the Commission's Directive regarding surrebuttal testimony in Docket No. 2021-291-A. As such, ORS respectfully requests confirmation that ORS and other intervening parties may prefile surrebuttal testimony in this docket without filing a Motion to Pre-File Surrebuttal Testimony.

Kind Regards,



**Donna L. Rhaney, Esquire**  
Staff Attorney, Legal Department  
Office of Regulatory Staff

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